

**AFFIDAVIT**

- 1) I, Amanda Cahill, your affiant, am a Special Agent employed by the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and have been so employed since March of 2005. I am currently assigned to the ATF Rutland Satellite Office in the Boston Field Division. In May of 2005 I graduated from the Criminal Investigator Training Program (CITP) program at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia and in September of 2005 I graduated from the ATF Special Agent Basic Training (SABT) program which was also at FLETC. During these programs I received training in practices and methods of illegal firearm possessors, firearm traffickers, and related federal criminal statutes. Prior to my employment as a Special Agent with ATF, I was employed by the Sacramento County Sheriff's Department in Sacramento, California for approximately two years. While employed with the Sacramento County Sheriff's Department I worked as a civilian intern with the Gang Suppression Unit and also as a Deputy Sheriff with assignments at the county jail and on patrol. In April of 2004 I graduated from the Sacramento County Sheriff's Basic Recruit Academy which was certified by the California Commission on Peace Officer Standards and Training. While attending the academy I completed 916.5 hours of instruction on topics including, but not limited to, basic California law, violations involving weapons and controlled substances, patrol techniques, and gang awareness. I also completed 67 hours of Standards and Training for Corrections. I have conducted and/or participated in over 50 investigations involving state and federal firearm and controlled substance violations. I have conducted and/or participated in over 100 controlled buys for firearms, controlled substances, and other items of contraband where confidential informants and undercover officers obtained these items from gang members, their associates, and other individuals involved in criminal

activity. I have interviewed multiple victims, witnesses, and suspects regarding various types of criminal activity. I have written several affidavits in support of criminal complaints and search warrants, and I have also served multiple arrest and search warrants for various crimes. I have made numerous criminal arrests for firearm and controlled substance violations, in addition to other state and federal crimes.

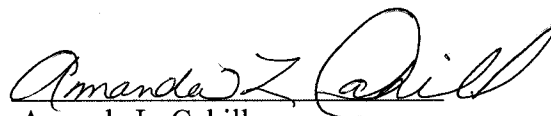
- 2) This affidavit is submitted to show that probable cause exists that Anthony SMITH (hereinafter referred to as "SMITH") possessed a firearm, in or affecting commerce, after having been previously convicted of a crime punishable by a term of imprisonment of greater than one year, in violation of 18 U.S.C. § 922(g)(1). The facts set forth below are either known to me personally or have been related to me by persons having direct knowledge of the events giving rise to this offense. This affidavit is intended to set forth probable cause and does not include every fact known to law enforcement about the events described below.
- 3) From reading Vermont State Police (hereinafter referred to as "VSP") reports(s) for case number 16A201750 and speaking with VSP Corporal George Rodriguez, I learned that, in summary, on the afternoon of April 19, 2016, VSP troopers arrived at the parking lot of the On the Run Convenience store located at 555 Fairfax Road, Saint Albans, VT to attempt to locate a suspicious vehicle. This vehicle, further described as a black Chevrolet Trailblazer with New Jersey temporary license plate L319146, had been reported to VSP for driving over a yard and causing damage. Shortly after arrival, Corporal Rodriguez observed the suspect vehicle in the parking lot and contacted the driver Quianah ARRINGTON (hereinafter referred to as "ARRINGTON"), ARRINGTON's juvenile child who was sitting in the back seat, and SMITH who was sitting reclined in the front passenger seat. ARRINGTON gave consent for Corporal Rodriguez to search the vehicle. Corporal RODRIGUEZ found a firearm, identified as a Colt,

model Frontier Scout, .22 caliber revolver (Serial No. 40695K), underneath the driver's seat.

The firearm was unloaded at the time of its recovery by law enforcement. Corporal Rodriguez also found a bag in the backseat which contained men's clothing, Timberland boots, and a plastic baggie with approximately 24 rounds of .22 caliber ammunition. ARRINGTON told Corporal Rodriguez that the bag (which contained the clothes and ammunition) belonged to SMITH.

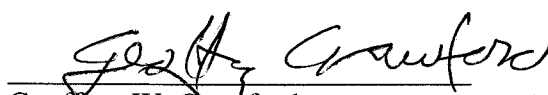
- 4) Corporal Rodriguez told me that SMITH initially denied knowing about the gun but when Corporal Rodriguez later told SMITH that ATF was going to take the case, SMITH stated that at least the gun was not loaded. Corporal Rodriguez also told me, by e-mail, that the vehicle was registered in ARRINGTON's (the driver) name with a temporary registration from New Jersey.
- 5) Per Corporal Rodriguez, the aforementioned Colt firearm was not immediately accessible to the driver of the vehicle as the mechanical controls under the seat prevented the driver from reaching underneath the seat. However, also per Corporal Rodriguez, the position that SMITH was in, with the front passenger seat reclined, gave him complete access to the firearm underneath the driver's seat.
- 6) From speaking with Supervising United States Probation Officer Richard Azarian, I learned that SMITH is currently on supervised release and being supervised by the Probation Office for the Eastern District of New York until the year 2021. I also learned from Supervising Probation Officer Azarian that SMITH had previously told another United States Probation Officer that he was a member of the Bloods street gang.
- 7) I reviewed SMITH's criminal history and learned he has the following felony convictions, all punishable by a term of imprisonment exceeding one year:
  - a. Criminal possession loaded firearm-3<sup>rd</sup> degree, Kings County Supreme Court of New York, (June 2, 1999) (Docket No. 3675-99);

- b. Criminal sale controlled substance-5<sup>th</sup> degree, Kings County Supreme Court of New York, (May 31, 2001) (Docket No. 08781-2000); and,
  - c. Conspiracy to possess with intent to distribute cocaine base, Northern District of New York, (December 6, 2006) (Docket No. DNYN505CR000435-001).
- 8) From speaking with ATF Special Agent James Berger, I learned that on April 19, 2016, Special Agent Berger, in his capacity as an expert in the interstate nexus of firearms, gave an opinion concerning the Colt, model Frontier Scout, .22 caliber revolver (Serial No. 40695K) recovered from SMITH. Special Agent Berger determined the firearm was manufactured outside the state of Vermont and therefore, by its presence in the state of Vermont, previously traveled in interstate and/or foreign commerce.



Amanda L. Cahill  
Special Agent  
Bureau of Alcohol, Tobacco, Firearms,  
and Explosives

Sworn to and subscribed before me this 20<sup>th</sup> day of April 2016 at Rutland, Vermont.



Geoffrey W. Crawford  
United States District Court Judge